IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.431 OF 2004
IN
SUMMARY SUIT NO.71 OF 2004

The Indian Hume Pipe Co.Ltd. .. Plaintiffs

Vs.

Ms.Bhakti M.Jog ..Defendants

Mr.J.R.Chomal for the plaintiffs

Mr.Rahul Nerlekar for the defendants

CORAM : S.U.KAMDAR, J
DATED : 16TH SEPTEMBER, 2005

P.C.:

. The present claim is based on a breach of contract by the defendat for non-completion of service period of an employment in favour of the plaintiffs. The said suit is in nature of damages. Summary suit is not maintainable. In view thereof, Summons for Judgment is dismissed. Unconditional leave to defend is granted. Suit is to be transferred to the list of Commercial Causes. Written Statement or points of defence to be filed within four weeks from today. Affidavits, list of documents to be filed within four weeks thereafter.

Inspection within four weeks thereafter. Suit to be on board of the learned Judge taking Commercial Causes.